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Attorney Docket No.: 15270J-004727US

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Mail Stop Patent Application Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

In re application of:

SCHENK, Dale B.

Application No.: To be assigned

Filed: Herewith

For: PREVENTION AND TREATMENT

OF AMYLOIDOGENIC DISEASE

Customer No.: 20350

Examiner: Unassigned

Technology Center/Art Unit: Unassigned

Mail Stop Patent Application

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.97 and §1.98

Sir:

The references cited on the attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/201,430, filed November 30, 1998 (Attorney Docket No. 15270J-004720US), with the exception of reference numbers 407-435, copies of which are attached. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Application No.: Unassigned

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The attached PTO/SB/08B form cites "'Grant Application; Raso, Immunology of Alzheimer's Disease', 1/1998," as cite no. 304. Cite no 304 was cited by the Examiner in Application No. 09/579,690. Application No. 09/579,690 is a commonly owned copending application directed to subject matter related to the instant application. Applicant believes "1/1998" is not the publication date as alleged by the Examiner, but refers to the grant funding cycle. Applicants' further believe the date of public accessibility, if any, is unknown. Applicant wishes to bring to the Examiner's attention that a copy of a grant application believed to have been submitted by Victor Raso for NIH Grant 1 R43 AGI 5746-01 on August 29, 1997 is cited in the attached PTO/SB/08B form as Cite 144. Cite no. 144 is a redacted version of cite no. 304. Applicant obtained cite no. 144 under the Freedom of Information Act (FOIA). It is believed that the grant proposal would not have been accessible under FOIA before April 2, 1998, but the exact date of public accessibility, if any, is not known to Applicant.

The Assignee of the instant application is a licensee of U.S. Patent No. 5,688,651, which is directed in part to subject matter related to the instant application. U.S. Patent No. 5,688,651 is now undergoing examination reissue as Application No. 09/441,140. U.S. Patent No. 5,688,651 and U.S. Application No. 09/441,140 are submitted herewith as Cite Nos. 16 and 283, respectively.

Applicant also cites commonly owned copending applications directed to related subject matter:

09/201,430 filed 11/30/98;

09/497,553 filed 02/03/00;

09/724,477 filed 11/28/00;

09/723,927 filed 11/28/00;

09/724,762 filed 11/28/00;

09/724,102 filed 11/28/00;

09/724,489 filed 11/28/00;

Application No.: Unassigned

Atty. Docket No. 15270J-004727US

Page 3

09/322,289 filed 05/28/99;

09/723,713 filed 11/27/00;

09/723,760 filed 11/27/00;

09/724,319 filed 11/27/00;

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10/429,216 filed 05/30/03;

09/580,015 filed 05/26/00;

09/724,940 filed 11/28/00;

09/724,961 filed 11/28/00;

09/580,018 filed 05/26/00;

09/724,552 filed 11/28/00;

09/723,544 filed 11/28/00;

09/724,273 filed 11/28/00;

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09/580,019 filed 05/26/00;

09/723,765 filed 11/28/00;

09/724,291 filed 11/28/00;

09/204,838 filed 12/03/98;

09/724,929 filed 11/28/00;

09/585,817 filed 06/01/00;

09/724,567 filed 11/28/00;

09/724,575 filed 11/28/00;

09/724,953 filed 11/28/00;

09/724,570 filed 11/28/00;

09/585,656 filed 06/01/00;

09/723,766 filed 11/27/00;

09/723,725 filed 11/27/00;

09/579,690 filed 05/26/00;

Application No.: Unassigned

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Page 4

and,

09/979,701 filed 03/13/01 (U.S. National Stage of PCT/US00/14810 filed 05/26/00); 09/979,952 filed 04/04/02 (U.S. National Stage of PCT/US00/15239 filed 06/01/00);

09/980,568 filed 03/12/02 (U.S. National Stage of PCT/US00/15302 filed 06/01/00).

Applicant also cites the following copending applications directed to related subject matter but subject to different assignment:

```
10/010,942 filed 12/06/01;
10/232,030 filed 08/30/02;
10/388,389 filed 03/12/03;
60/444,150 filed 02/01/03;
10/388,214 filed 03/12/03; and,
60/474,654 filed 05/30/03.
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Applicant further cites the following commonly owned abandoned applications directed to related subject matter:

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60/067,740 filed 12/02/97;
60/080,970 filed 04/07/98;
60/067,219 filed 12/03/97;
60/079,697 filed 03/27/98;
09/724,921 filed 11/28/00;
60/137,010 filed 06/01/99;
60/137,047 filed 06/01/99; and,
60/136,655 filed 05/28/99.
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Applicant also cites the following abandoned application directed to related subject matter but subject to different assignment:

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60/251,892 filed 12/06/00; and, 60/363,751 filed 03/12/02.
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Application No.: Unassigned

Atty. Docket No. 15270J-004727US

Page 5

Applicant points out that the following applications are now commonly assigned but were previously subject to different assignment than the present application:

60/067,219 filed 12/03/97;

60/079,697 filed 03/27/98;

09/204,838 filed 12/03/98;

09/724,921 filed 11/28/00; and,

09/724,929 filed 11/28/00.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a

search has been conducted or that this statement encompasses all the possible relevant

information, and no inference should be made that the information and references cited are, or

are considered to be material to patentability because they are in this statement. No inference

should be made that the information and references cited are prior art merely because they are in

this statement.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the

undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit

any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Rosemarie L. Celli Reg. No. 42,397

TOWNSEND and TOWNSEND and CREW LLP

Two Embarcadero Center, Eighth Floor San Francisco, California 94111-3834

Tel: 650-326-2400

Fax: 650-326-2422

RLC:crf 60172805 v1

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known **Application Number**

Substitute for form 1449A/PTO INFORMATION DISCLOSURE Filing Date Herewith STATEMENT BY APPLICANT First Named Inventor Schenk Art Unit (use as many sheets as necessary) **Examiner Name** 15270J-004727US Sheet Attorney Docket Number

		T	U.S. PATENT DOCI	DIVIENTS		
Examiner	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date		lame of Patentee or cant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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	431	2003/0165496 A1	09-04-2003		Basi et al.	
_	432	6,562,341 B2	05-13-2003		Prusiner et al.	
	360	2003/0073655 A1	04-17-2003		Chain	
	370	2003/0068325 A1	04-10-2003		Wang	•
	378	2002/0197258 A1	12-26-2003		Ghanbari et al.	
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	306	6,417,178 B1	07-09-2002		Klunk et al.	
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	230	6,262,335 B1	07-17-2001		Hsiao et al.	
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Examiner Signature				ate onsidered		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at <u>www.uspto.gov</u> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231 60170434 v1

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Substitu	ute for form 1449A/PT	го		Complete if Known			
				Application Number			
INF	ORMATION	I DI	SCLOSURE	Filing Date	Herewith		
STATEMENT BY APPLICANT			APPLICANT	First Named Inventor	Schenk		
				Art Unit			
(use as many sheets as necessary)			s necessary)	Examiner Name			
Sheet	2	of	25	Attorney Docket Number	15270J-004727US		

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3	5,955,317	09-21-1999	Suzuki et al.	
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- 4			
ĺ	Examiner Signature	Date Considered	·

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¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substit	tute for form 1449A/F	РТО		Complete if Known				
		Application Number						
INF	ORMATIO	N D	ISCLOSURE	Filing Date	Herewith			
STA	ATEMENT	BY A	APPLICANT	First Named Inventor	Schenk			
				Art Unit				
	(use as many si	heets a	is necessary)	Examiner Name				
Sheet	3	of	25	Attorney Docket Number	15270J-004727US			

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Examiner	Cite	Document Number Number Kind Code ² (if known)	Filing Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
Examiner	No.1	Number Kind Code (ii known)	MM-DD-YYYY	Applicant of Cited Document	Figures Appear
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Examiner	Cite	Fore	ign Patent Docur	nent	Publication	Name of Patentee or	Pages, Columns, Lines,			
Initials*	No.1	Country Code ³	Number ⁴	Kind Code ⁵ (if known)	Date MM-DD- YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T ⁶		
	343	EP	1 172 378	A1	01-16-2002					

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Examiner Signature		Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitu	ute for form 1449A/P	OT		Complete if Known				
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INF	ORMATIO	N DI	SCLOSURE	Filing Date	Herewith			
STA	ATEMENT!	BY /	APPLICANT	First Named Inventor	Schenk			
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Sheet	4	of	25	Attorney Docket Number	15270J-004727US			

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Examiner Signature	Date Considered	-	

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¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substit	tute for form 1449A/P	OT		Complete if Known			
				Application Number			
INF	ORMATIO	N DI	SCLOSURE	Filing Date	Herewith		
STATEMENT BY APPLICANT		First Named Inventor	Schenk				
				Art Unit			
	(use as many sh	neets a	s necessary)	Examiner Name			
Sheet	5	of	25	Attorney Docket Number	15270J-004727US		

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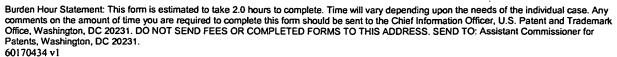
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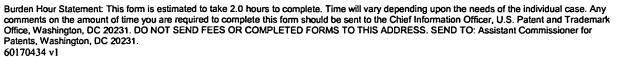
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